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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,515	03/15/2004	Charles A. Sellers	200301920-2	9466

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EXAMINER

VORTMAN, ANATOLY

ART UNIT PAPER NUMBER

2835

DATE MAILED: 07/12/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application N .

10/800,515

Applicant(s)

SELLERS, CHARLES A.

Examiner

Anatoly Vortman

Art Unit

2835

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6,8-12,14,16-18 and 20-24 is/are rejected.
- 7) ☒ Claim(s) 3,7,13,15 and 19 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 3/15/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4-6, 8-12, 14, 16, and 23, are rejected under 35 U.S.C. 102(b) as being anticipated by US/4,781,422 to Kimble.

Regarding claims 1 and 4, Kimble disclosed (Fig. 1-3) a computer system, comprising: a base (11, 12); a display (14-16) coupled to the base (11, 12), such that the display (14-16) is rotatable relative the base about an axis of rotation; a clutch (29) disposed at the axis of rotation, wherein the clutch (29) is engageable to resist rotation of the display (14-16) relative to the base (11, 12) about the axis of rotation; and an operator (75, 85) coupled to the clutch (29) and actuatable by a single hand of a user to facilitate simultaneous disengagement of the clutch (29) and rotation of the display (14-16) relative to the base (11, 12) about the axis of rotation.

Regarding claim 2, Kimble disclosed (Fig. 3) that the operator (75, 85) comprises a switch (85) having first and second positions, the first position having the clutch engaged to provide a full resistive force against rotation of the display relative to the base, and the second position having the clutch disengaged to substantially remove all of the resistive force.

Regarding claims 5 and 8, Kimble disclosed (Fig. 1-3) an electronic device, comprising: a rotatable display (14-16) having an axis of rotation; a rotational resistance (clutch) mechanism (29) coupled to rotatable display (14-16) to provide a resistive force against rotation of the rotatable display (14-16) about the axis of rotation; and a resistance release (85) coupled to the rotational resistance mechanism and engageable at a position offset from the axis of rotation.

Regarding claim 6, Kimble disclosed a component housing (11, 12) coupled to the display (14-16) at the axis of rotation.

Regarding claim 9, the resistance release (75, 85) is switchable (by turning) between first and second positions of the member (85), the first position having all of the resistive force, the second position substantially removing all of the resistive force.

Regarding claim 23, Kimble disclosed (Fig. 1-3) an electronic device, comprising: means (75, 85) for engaging a rotational resistance mechanism (29) about an axis of rotation of a rotatable display (14-16); and means (34, 54, 55) for switchably releasing the rotational resistance mechanism (29) at a position offset from the axis of rotation.

Regarding claims 10-12, 14, and 16, the method steps recited in the claims are inherently necessitated by the device structure as taught by Kimble.

3. Claims 17, 18, 20-22, 24, and alternatively claim 23, are rejected under 35 U.S.C. 102(b) as being anticipated by US/5,436,792 to Leman et al., (Leman).

Regarding claim 24, Leman disclosed (Fig. 5-8 and 9) a portable computer comprising: a component housing (D); a display (16A, 18', L); a hinge assembly (Fig. 8) coupling the display to the component housing, wherein the hinge assembly comprises a clutch assembly (26B); and a

clutch operator (42A) coupled to the clutch assembly (26B) having a first position at which the clutch assembly (26B) is engaged and a second position at which the clutch assembly (26B) is substantially disengaged, wherein the clutch operator (42A) is mounted away from an axis of rotation of the hinge assembly to facilitate single-handed operation of the clutch operator (42A) and rotation of the display.

Regarding claim 23, Leman disclosed (Fig. 5-8 and 9) an electronic device, comprising: means (40A, 40B) for engaging a rotational resistance mechanism (26B) about an axis of rotation of a rotatable display (16A, 18', L); and means (42A) for switchably releasing the rotational resistance mechanism (26B) at a position offset from the axis of rotation.

Regarding claims 17, 18, and 20-22, the method steps recited in the claims are inherently necessitated by the device structure as taught by Leman.

Allowable Subject Matter

4. Claims 3, 7, 13, 15, and 19, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

regarding claim 3, claim recites: “the operator is mounted to the display at a position offset from the axis of rotation”;

regarding claim 7, the claim recites: “release is disposed at an edge of the rotatable display opposite from the axis of rotation”;

regarding claim 13, the claim recites: "mounting the resistance release at an edge of the...display";

regarding claim 15, the claim recites: "an electrical operator"; and,

regarding claim 19, the claim recites: "electrically disengaging".

The aforementioned limitations in combination with all remaining limitations of the respective claims, are believed to render the above-discussed claims patentable over the art of record.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure:

US/5173837, 5566048, 5771152, 5949642, 6304433, 6338182, and 6654068 disclosed hinges for rotatable computer displays.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anatoly Vortman whose telephone number is 571-272-2047. The examiner can normally be reached on Monday-Friday, between 10:00 am and 6:30 pm..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Darren Schuberg can be reached on 571-272-2800, ext 35. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AV

A handwritten signature in black ink, appearing to read 'A. Vortman', with a long horizontal flourish extending to the right.

Anatoly Vortman
Primary Examiner
Art Unit 2835